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March 1, 2013

#### Via ECFS

Marlene H. Dortch Secretary Federal Communications Commission 445 12th Street, S.W. Suite TW-A325 Washington, D.C. 20554

Re: 2012 CPNI Compliance Certification of NTT DOCOMO USA, Inc.

EB Docket No. 06-36

Dear Ms. Dortch:

On behalf of NTT DOCOMO USA, Inc. and pursuant to Section 64.2009(e) of the Commission's rules, <sup>1</sup> enclosed please find the company's compliance certification for the 2012 calendar year. If you have any questions regarding this filing, please contact the undersigned.

Very truly yours,

/s/ Jennifer L. Kostyu

Jennifer L. Kostyu

Counsel to NTT DOCOMO USA, Inc.

Enclosure

<sup>1</sup> 47 C.F.R. §§ 64.2009(e).

### NTT DOCOMO USA, Inc.

## Annual 47 C.F.R. § 64.2009(e) Customer Proprietary Network Information ("CPNI") Certification for 2012

#### EB Docket No. 06-36

Date filed:

March 1, 2013

Name of company covered

by this certification:

NTT DOCOMO USA, Inc. ("DOCOMO USA Wireless")

Form 499 Filer ID:

0020632055

Name of signatory:

Mr. Kazuhisa Iwamoto

Title of signatory:

Senior Vice President

I, **Kazuhisa Iwamoto**, certify that I am an officer of the company named above, and that, to the best of my personal knowledge, based on personal information and inquiry, the company has established operating procedures that are designed to ensure compliance with the Commission's CPNI rules contained in 47 C.F.R. §§ 64.2001 *et seq*.

Attached to this certification is an accompanying statement explaining how the company's procedures were designed to ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in Section 64.2001 *et seq*. of the Commission's rules.

The company has not taken actions (i.e., proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission) against data brokers in the past year. The company also has not received customer complaints in the past year concerning the unauthorized release of CPNI.

Kazuhisa Iwamoto

Senior Vice President

NTT DOCOMO USA, Inc.

Attachment

# STATEMENT OF NTT DOCOMO USA, INC. REGARDING CUSTOMER PROPRIETARY NETWORK INFORMATION ("CPNI") COMPLIANCE March 1, 2013

NTT DOCOMO USA, Inc. ("DOCOMO USA Wireless") provides this statement pursuant to 47 C.F.R. § 64.2009(e) to accompany its annual CPNI certification.

Section 222 of the Communications Act (codified at 47 U.S.C. § 222) establishes requirements for carriers to safeguard the use and dissemination of CPNI. The CPNI safeguards are implemented by the FCC in regulations set forth at 47 C.F.R. §§ 64.2001-64.2011 (the "CPNI Regulations"). In compliance with these rules, DOCOMO USA Wireless has adopted internal operating procedures implementing the CPNI Regulations.

DOCOMO USA Wireless's internal operating procedures contain the following elements:

- The permitted uses of CPNI by DOCOMO USA Wireless that do not require customer consent;
- The uses of CPNI by DOCOMO USA Wireless affiliates that do not require customer approval;
- The uses of CPNI by DOCOMO USA Wireless agents and affiliates that require customer opt-out consent;
- The requirements for obtaining customer opt-in consent for all other uses of CPNI;
- The form and terms of any opt-out notifications or opt-in consent required;
- DOCOMO USA Wireless's safeguards for the protection of CPNI, including:
  - o Employee training;
  - Employee disciplinary processes for any violations of the company's internal operating procedures;
  - Record-keeping requirements;
  - The designation of a corporate officer responsible for overseeing compliance with the company's internal operating procedures;
  - o The preparation of an annual certification and statement;
  - o A supervisory review process for marketing campaigns; and
  - Procedures for notifying the FCC of non-compliance with the company's internal operating procedures.

- DOCOMO USA Wireless's safeguards regarding the disclosure of CPNI, including:
  - Limitations on the provision of call detail information and CPNI in the contexts of inbound customer-initiated telephone calls, customer on-line access and customer in-store access;
  - o Procedures for the establishment of required passwords;
  - o Procedures for notifying customers of account changes; and
  - o Procedures applicable to business customers.
- DOCOMO USA Wireless's process for notifying law enforcement, and then customers, of any breaches of CPNI.

DOCOMO USA Wireless's internal operating procedures thus set forth the detailed requirements of the CPNI Regulations and explain how these requirements apply to DOCOMO USA Wireless's business. DOCOMO USA Wireless's internal operating procedures also establish high-level oversight of the company's CPNI compliance, and establish safeguards for the disclosure of CPNI and procedures for notification of any CPNI security breaches. Accordingly, DOCOMO USA Wireless's internal operating procedures are designed to ensure that the company is in compliance with the CPNI Regulations.